IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 9TH JANUARY 2007 / 19TH PAUSHA 1928

WP(C).No. 11718 of 2005(T)

PETITIONER:

RAFEEQUE. K., S/O. USSAN, PROPRIETOR,
PARAMBIL OIL MILL, BUILDING NO.11/135-B,
KURUVATOOR PANCHAYATH, KOZHIKODE.

BY ADV. SRI.R.BINDU (SASTHAMANGALAM)

RESPONDENTS:

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1. KURUVATTOOR GRAMA PANCHAYATH
KURUVATTOOR P.O., KOZHIKODE,
REPRESENTED BY ITS SECRETARY.

2. KERALA STATE POLLUTION CONTROL BOARD,
REGIONAL OFFICE, HOUSING BOARD OFFICE
COMPLEX, KOZHIKODE, REPRESENTED BY THE
CHIEF ENVIRONMENTAL ENGINEER.

3. THE DISTRICT MEDICAL OFFICER OF HEALTH,
KOZHIKODE.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA,SC,POLU.C.
SRI.K.A.SALIL NARAYANAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO. 11718/2005

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 COPY OF THE LICENSE ISSUED BY THE 1ST RESPONDENT DATED 22/04/2004.

EXT.P2 COPY OF THE CONSENT ISSUED BY THE 2ND RESPONDENT DATED 28/12/2004.

EXT.P3 COPY OF THE CONSENT ISSUED by the 3RD RESPONDENT DATED 06/01/2005.

EXT.P4 COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENTS 2 AND 3 DATED 02/03/2005.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 11718 of 2005

Dated, this the 9th day of January, 2007

J U D G M E N T

Learned Standing Counsel for the Pollution Control Board submits that, after verification, sound levels are within the parameters and that the petitioner can be permitted to run the oil mill in the night also. This writ petition is closed recording the submission of the learned Standing Counsel for the Pollution Control Board with a direction to the Pollution Control Board to issue consent stating the parameters to be maintained by the petitioner. If any permission is required from the local authority, it is for the petitioner to apply for it and get it based on the findings of the Pollution Control Board.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg